

Message Text

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43

ACTION EUR-12

INFO OCT-01 ISO-00 OES-03 L-03 SS-15 /034 W

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R 231450Z JAN 76

FM AMEMBASSY WARSAW

TO SECSTATE WASHDC 9474

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STADIS////////////////////////////////////

FOR EUR-ASSISTANT SECRETARY HARTMAN AND OES-ACTING
ASSISTANT SECRETARY KRATZER

E.O. 11652: N/A

TAGS: TPHY, OSCKI, ABUD, EFIN, PL

SUBJECT: SFCP: US-POLISH JOINT BOARD-INTERNATIONAL TRAVEL AND
PER DIEM ARRANGEMENTS FOR AMERICANS

REF STATE 010600, 75 WARSAW 7028

1. I HAVE STRONG OBJECTIONS TO CONVEYING TO THE POLISH
AUTHORITIES THE POSITION ON INTERNATIONAL TRAVEL FOR POLISH-
FUNDED PROJECTS, CONTAINED IN STATE 10600. I REGARD THIS
POSITION AS YET ANOTHER EXAMPLE OF THE UNREALISTIC APPROACH
BEING APPLIED TO THE U.S.-POLISH AGREEMENT ON THE JOINT
FUNDING OF S&T COOPERATION, WHICH WAS SIGNED BY THE
SECRETARY ON OCTOBER 8, 1974.

2. NOTWITHSTANDING WHAT IS SAID IN STATE 10600, I CAN SEE
NO REASON WHY THE STOESSEL-KRZAK AGREEMENT CANNOT BE USED
TO SUPPORT TRAVEL CONNECTED WITH POLISH-FINANCED PROJECTS.
MOREOVER, ARTICLE VI OF THE JOINT FUND AGREEMENT STATES
THAT THE STOESSEL-KRZAK AGREEMENT WILL REMAIN IN FORCE
UNTIL SEPTEMBER 30, 1978, FOR ALL INTERNATIONAL TRAVEL
AND TRAVEL-RELATED COSTS INCURRED UNDER THE AGREEMENT.
THERE IS NO REFERENCE WHATSOEVER IN THE JOINT
FUND AGREEMENT TO "U.S.-FUNDED" OR "POLISH-FUNDED"

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PROJECTS. THE POLES HAVE ALREADY POINTED THIS OUT TO

US; SEE WARSAW 75 8157 AND WARSAW 0283.

3. THE ISSUE HERE IS NOT MERELY PROCEDURAL, BUT STRIKES AT THE VERY FOUNDATION OF OUR COOPERATIVE RESEARCH EFFORTS WITH POLAND. COOPERATION WOULD RAPIDLY CEASE TO EXIST IF SCIENTISTS FROM EITHER COUNTRY WERE DEPRIVED OF THE MEANS TO TRAVEL IN CONNECTION WITH ANY GIVEN PROJECT.

4. THE POLES ARE VERY UNHAPPY WITH U.S. PERFORMANCE UNDER THE JOINT FUND AGREEMENT TO DATE. THIS NEW, PATENTLY UNFOUNDED, AND UNACCEPTABLE INTERPRETATION OF TRAVEL HUNDING COULD BE THE LAST STRAW FOR THEM.

5. AS I INDICATED IN WARSAW 75 7028, THE TREASURY DECISION, RADICALLY CURTAILING THE TIME PERIOD IN WHICH THE U.S. CAN MAKE CONTRIBUTIONS TO THE JOINT FUND, HAS GRAVELY JEOPARDIZED THIS AGREEMENT. NOTHING HAS OCCURRED IN THE THREE MONTHS THAT HAVE ELAPSED SINCE TRANSMITTAL OF THAT MESSAGE (TO WHICH THERE HAS BEEN NO REPLY) THAT WOULD ALTER THIS ASSESSMENT. WE HAVE ONLY ELEVEN MONTHS REMAINING IN WHICH TO NEGOTIATE THE PROJECTS AND CONTRIBUTE TO THE JOINT FUND THE 476 MILLION ZLOTYS NEEDED TO FULFILL OUR CONTRIBUTION REQUIREMENTS. EVEN IN THE UNLIKELY EVENT THAT THIS SHOULD BE ACOMPLISHED, THE POLES HAVE ALREADY POINTED OUT THAT THEY ARE NOT OBLIGATED TO NEGMTIATE A NEW METHOD OF FINANCING TRAVEL UNTIL OCTOBER, 1978. THE U.S. HAS BY UNILATERAL ACTION CREATED A HIATUS OF NEARLY TWO YEARS WHICH MUST BE FILLED BY POLISH-FUNDED PROJCTS. CAN WE SERIOUSLY BELIEVE THAT THE POLES WOULD BE WILLING TO COMMIT THEIR SCARCE HAR-CURRENCY RESERVES TO A WL US OUT UNDER THESE CIRCUMSTANCES? AS STATED IN THE OPINION OF THE LEGAL ADVISOR'S OFFICE OF JULY 2, 1975, REGARDING THE TREASURY DECISION, WE MUST TAKE FULLY INTO ACCOUNT THE GOOD-FAITH OBLIGATIONS WHICH WE INCURRED UNDER THE JOINT FUND AND STOESSEL-KRZAK AGREEMENTS, OR WE RUN THE RISH OF VIOLATING THEM. THE DEPARTMENT'S POSITION ON POLISH-FUNDED PROJECTS IS NOT IN ACCORDANCE WITH THIS OPINION. THE LIMITED OFFICIAL USE

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STOESSEL-KRZAK AGREEMENT EXISTS, AND WE ARE OBLIGATED TO USE IT UNDER THE JOINT FUND AGREEMENT UNTIL OCTOBER, 1978. IF, FOR SOME REASON NOT APPARENT TO ME, IT NEEDS TO BE MODIFIED TO ACCOMMODATE POLISH-FUNDED PROJECTS, THEN IT IS UP TO THE U.S. IMMEDIATELY TO PROPOSE SUCH A MODIFICATION AND TO ATTEMPT TO NEGOTIATE IT WITH THE POLES.

6. I HOPE THE DEPARTMENT WILL HAVE A MORE REALISTIC
PROPOSAL TO OFFER THE POLES FOR THE NEXT JOINT BOARD
MEETING, TO BE HELD IN WASHINGTON IN EARLY MARCH. IF THAT
IS TO HAPPEN, HOWEVER, I BELIEVE YOU WILL HAVE TO TAKE
A PERSONAL INTEREST IN FINDING A SOLUTION TO THIS
PROBLEM.
DAVIES

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SCIENTIFIC COOPERATION, PERSONNEL TRAVEL, INTERGOVERNMENTAL COOPERATION
Control Number: n/a
Copy: SINGLE
Draft Date: 23 JAN 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976WARSAW00454
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760026-0926
From: WARSAW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760125/aaaaawca.tel
Line Count: 122
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: STADIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: STADIS
Reference: 76 STATE 10600, 76 WARSAW 7028
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 03 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03 MAY 2004 by greeneet>; APPROVED <13 MAY 2004 by morefirh>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SFCP: US-POLISH JOINT BOARD-INTERNATIONAL TRAVEL AND PER DIEM ARRANGEMENTS FOR AMERICANS
TAGS: TPHY, OSCI, ABUD, EFIN, PL
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006